



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street, 3rd Floor
New York, New York 10007*

November 29, 2004



BY HAND

Hon. Richard Conway Casey
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1350
New York, New York 10007-1312

Re: Ebadi v. Office of Foreign Assets Control, No. 04 Civ. 8420 (RCC)

Dear Judge Casey:

I am the Assistant United States Attorney assigned to defend the above-referenced action, which challenges certain Treasury Department regulations on statutory and constitutional grounds, and which is related to Association of American University Presses, Inc. v. OFAC, 04 Civ. 7604 (RCC). I respectfully submit this letter (1) to request the Court's approval of a consented-to adjournment of the current briefing schedule to conform with the recently-requested postponement of briefing in the related matter, and (2) to inform the Court that the Government takes no position with respect to plaintiffs' November 17, 2004 transmittal of a letter from former President Carter for possible consideration by the Court. Plaintiffs consent to the requested extension of time for briefing, which is the first such request in this case.

By letter dated November 18, 2004, concerning the related case brought by the Association of American University Presses, the Government requested with plaintiffs' consent an extension such that the Government's brief will be due on January 18, 2005, and plaintiffs' brief will be due on February 16, 2005. The Government has not yet received the Court's disposition of that request. We respectfully ask that briefing in the above-referenced Ebadi matter, which presents issues identical to those raised by the related publishers' case, be adjourned to conform with the schedule of that case. (The Government's papers presently are due December 3, 2004, and plaintiffs' reply is due December 22, 2004.) The reason for both requested extensions is that the parties anticipate that there may be developments with a possibly significant effect on the posture of the case, such that the briefing may need to be refocused or may even prove unnecessary.

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I respectfully request that this letter be "so ordered" and docketed to authorize the agreed-upon schedule. Thank you for your consideration.

Respectfully,

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United States Attorney

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Application granted

11/30/04

